

REMARKS / DISCUSSION OF ISSUES

Claims 35-69 and 71-74 are pending in the application.

The Office action rejects claims 66-68 under 35 U.S.C. 112, first paragraph. The applicants respectfully traverse this rejection.

The Examiner's attention is requested to the applicants' FIG. 1, and corresponding description at page 6, lines 14-17. FIG. 1 illustrates an upper part of a table top 100, a touch screen 101, and a flow zone 102.

Claim 65 recites that the touch screen directly abuts a part of the table top. FIG. 1 clearly illustrates touch screen 101 abutting the region of table top 100 at the periphery of the touch screen 101.

Claim 66 recites that the touch screen extends to an outer part of the table top. FIG. 1 clearly illustrates that touch screen 101 extends to the outer part of the table top 100; the outer part being the area between the screen 101 and the edge of the table top 100.

Claim 67 recites that the touch screen is enclosed in the table top by the outer part. FIG. 1 clearly illustrates that the outer part of the table top 100 encloses the touch screen 101.

Because FIG. 1, as originally filed, clearly illustrates each of the elements of claims 66-68 in sufficient detail to convey to one of skill in the art that the applicants had possession of the claimed invention at the time that the application was filed, the applicants respectfully request the Examiner's reconsideration of the rejection of claims 66-68 under 35 U.S.C. 112, first paragraph.

The Office action rejects:

claims 42-44, 47, 49-50, and 60-61 under 35 U.S.C. 103(a) over Nawaz et al. (USP 5,959,621, hereinafter Nawaz) and Yamada et al. (USP 6,259,432, hereinafter Yamada).

claim 48 under 35 U.S.C. 103(a) over Nawaz, Yamada, and Barraus et al. (USP 6,693,652, hereinafter Barraus);

claims 51 and 54 under 35 U.S.C. 103(a) over Nawaz, Yamada, and Bates et al. (USP 6,693,652, hereinafter Bates);

claim 52 under 35 U.S.C. 103(a) over Nawaz, Yamada, Bates, and Glaser (USP 6,392,671);

claim 55 under 35 U.S.C. 103(a) over Nawaz, Yamada, and Flutka et al. (USP 5,758,934, hereinafter Flutka);

claim 56 under 35 U.S.C. 103(a) over Nawaz, Yamada, and Naidoo (USP 6,629,136);

claims 57-58 under 35 U.S.C. 103(a) over Nawaz, Yamada, and Ku et al. (USP 6,005,767, hereinafter Ku);

claims 65, 67-68, and 71-72 under 35 U.S.C. 103(a) over Nawaz, Yamada, Ku, and Nevin (USP 6,553,919);

claim 66 under 35 U.S.C. 103(a) over Nawaz, Yamada, Ku, Nevin, and McNelly et al. (USP 6,243,130, hereinafter McNelly);

claim 73 under 35 U.S.C. 103(a) over Nawaz, Yamada¹, and Nevin;
and

claim 74 under 35 U.S.C. 103(a) over Nawaz, Yamada², Nevin, and Ku.

The applicants respectfully traverse these rejections.

MPEP 2142 states:

"To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***... If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness."

¹ The Office action does not reference Yamada in the statement of rejection; however, Yamada is referenced in the accompanying text to this rejection. The applicants assume that the omission was a typographical error.

² See footnote 1.

The combination of Nawaz and Yamada fails to teach or suggest selectively changing flow speed and flow direction based on locations of user input events within the flow zone, as specifically claimed in each of the applicants' independent claims 42, 60, and 61, upon which claims 43-44, 47-59, and 62-64 depend.

In like manner, the combination of Nawaz and Yamada fails to teach or suggest altering a flow rate of the flowing links based on user input events within the flow zone, as specifically claimed in each of the applicants' independent claims 65, 71, and 73, upon which claims 66-69, 72, and 74 depend.

In each of these rejections, the Office action relies upon Yamada for teaching control of the flow of flow elements based on user input events within the flow zone. The applicants respectfully disagree with this characterization of Yamada.

Yamada teaches the display of a speed indicator in response to a user's activation of a scroll control wheel on a mouse input device. The speed indicator is displayed at the current position of the mouse cursor.

Yamada does not teach that the scrolling is dependent upon a position of the mouse cursor, and specifically does not teach that the scrolling is based on user input events within the flow zone. Yamada merely states that the speed indicator will be displayed at the current mouse cursor position.

Yamada teaches that the control of the scrolling speed is determined based solely on the movement of the mouse when a particular button on the mouse is pressed, regardless of where the mouse cursor is currently located on the display. Of particular note, Yamada specifically teaches that when the scrolling button is pressed, the conventional location-determining function of the mouse is deactivated:

"As the normal mouse cursor operation is not directly related to the subject of the present invention, no further explanation for it will be given. When the middle button is clicked, i.e., when $b_2=1$, the mouse driver assumes that the displacement (dx, dy) of the ball is not related to the moving of the mouse cursor but to the scrolling in an active window." (Yamada, column 14, lines 53-59.)

The Board of Patent Appeals and Interferences has consistently upheld the principle that the burden of establishing a *prima facie* case resides with the Office, and to meet this burden, the Examiner must specifically identify where each of the claimed elements is found in the prior art (see, for example, *Ex Parte Naoya Isoda*, Appeal No. 2005-2289, Application 10/064,508 (BPAI Opinion October 2005)).

The Office action notes that Yamada's FIG. 7 shows scrolling information. The applicants concur, but note that displaying scrolling information is not relevant to the applicants' claimed invention.

The Office action asserts that Yamada "shows scrolling speed and scrolling direction (i.e. flow speed and flow direction) are changed **based on mouse cursor's moving from one location to another** within the window or frame" (Office action page 4, lines 9-11, emphasis added). The applicants respectfully disagree with this assertion, because Yamada specifically teaches that the cursor movement is disabled when the scrolling operation is selected. Further, Yamada does not teach that the scrolling operation is dependent on whether the cursor is "within the window or frame" as asserted in the Office action. Still further, the Office action references Yamada's column 18, lines 20-47 to support this assertion, whereas at this cited text, Yamada merely teaches a scheme for displaying the different indicators of scrolling direction and speed.

Because Yamada does not teach controlling the flow based on user input events within the flow zone, and because the Office action does not identify where Yamada provides this teaching, the applicants respectfully maintain that the rejections of claims 42-44, 47-52, 60-61, 65-68, and 71-74 under 35 U.S.C. 103(a) that rely on Yamada for this teaching are unfounded, per MPEP 2142.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

/Robert M. McDermott/
Robert M. McDermott, Esq.
Reg. 41,508
804-493-0707

Please direct all correspondence to:

Yan Glickberg, Esq.
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9618
Fax: (914) 332-0615